

**July 3, 2019**

**DISSEMINATION BY THE LIVINGSTON GROUP, LLC**

**FARA #6344**

The Livingston Group (TLG) has been retained by an American investor who is in danger of losing half of his investment in a Polish company. We would appreciate the opportunity to meet with you to discuss the situation at your earliest convenience either the week of July 8 or 15.

To-date TLG, as well as our client, has been in contact with President Trump, as well as officials at the Departments of Commerce and State.

In summary here are the facts:

- Hugh Aiken (Aiken) is a New Orleans-born, US citizen. He owns ZAKLAD METALURGICZNY (ZM), a foundry company in Poland. ZM currently employs 960 people.
- It was originally part of a company acquired from the Polish Government by Pratt & Whitney (P&W). Because it was not capable of making castings for Pratt & Whitney engines, used obsolete equipment and was unprofitable, P&W spun it off as ZM in 2004 with a view to sell or close the operation.
- Aiken, who had experience in the foundry business, in 2005 made an offer to P&W to buy ZM. He sought a financial partner and was introduced to Harpal Randhawa, owner of GEM Management Limited (GEM), a British Virgin Islands investment company. GEM agreed to help finance the purchase of ZM. Two days before the planned purchase in March 2007 GEM refused to provide its half of the investment due to Aiken's refusal to transfer money out of ZM to GEM. At closing in 2007, Aiken had to provide all the cash required for the purchase.
- The company, managed by Aiken, subsequently became profitable in 2012. In a long series of Polish court cases, GEM has tried to claim half the company, even though it did not put up its half of the original investment. Aiken won the initial court case in 2008 and the appeal in 2009, but after GEM hired a lawyer with close ties to a Polish Supreme Court Justice, Aiken lost an appeal in the Polish Supreme Court in 2010 and then in the appeal court in 2011.
- The union representing the workers at ZM – Solidarnosc (Solidarity), a Polish labor union with a significant political history – supports Aiken.
- In 2019, Aiken continues to fight GEM in the courts. GEM is getting close to achieving its goal of obtaining 50 percent of ZM (and of ZAMCO, the holding company) for nothing. In such case Aiken and ZM management would lose half of ZM, which they bought and built.

Aiken is seeking the support of the US Government for ZM before the Polish Government. The current Polish Government has established through the Ministry of Justice, a process for reviewing court decisions deemed incorrect or corrupt. Only a couple of decisions have actually been reviewed to-date. Aiken has filed a request for the review of the appeal court 2011 judgement. The objective is to have the ZM case reviewed by the Polish General Prosecutor.

Thank you for your consideration of our request.

THE LIVINGSTON GROUP, LLC PROVIDES REPRESENTATION FOR ZAKLAD METALURGICZNY, THROUGH SEKCO OPERATING COMPANY. ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF JUSTICE, WASHINGTON, DC.